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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

KELSEY CASCADIA ROSE JULIANA, et al., Case No. 6:15-cv-01517-AA
Plaintiffs,

v.

UNITED STATES OF AMERICA, et al.,
Defendants.

**DEFENDANTS' RESPONSE TO
PLAINTIFFS' NOTICE OF
SUPPLEMENTAL AUTHORITIES RE:
MOTION FOR LEAVE TO FILE A
SECOND AMENDED COMPLAINT
AND TO LIFT THE STAY**

(ECF Nos. 528, 529, 530)

Plaintiffs submit *Dobbs v. Jackson Women's Health Org.*, 142 S. Ct. 2228 (2022) (ECF No. 528), *West Virginia v. EPA*, 142 S. Ct. 2587 (2022) (ECF No. 529), and *New York State Rifle & Pistol Ass'n, Inc. v. Bruen*, 142 S. Ct. 2111 (2022) (ECF No. 530), as supplemental authorities in support of their Motion for Leave to File a Second Amended Complaint, ECF No. 462. None of these authorities address the issues before the Court on Plaintiffs' motion for leave to amend.

Defendants opposed Plaintiffs' motion because it is barred by the Ninth Circuit's mandate and because the proposed amendment is futile, as it cannot cure Plaintiffs' lack of

redressability. Defs.' Br. in Opp'n to Mot. for Leave to file Second Am. Compl., ECF No. 468 (citing *Juliana v. United States*, 947 F.3d 1159, 1170-71 (9th Cir. 2020)). *Dobbs, West Virginia*, and *Bruen* do not address the rule of mandate or redressability, and thus do not bear on the pending motion.

Dated: October 17, 2022

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